

NO. 36

JOURNAL
of the
HOUSE OF REPRESENTATIVES
of the
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009

TUESDAY, MARCH 24, 2009
(STATEWIDE SESSION)

Tuesday, March 24, 2009
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The House assembled at 12:00 noon.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Isaiah 12:2: "Surely God is my salvation; I will trust and will not be afraid."

Let us pray. Almighty God, thank You for the springtime in which we see the new growth appearing in flowers, shrubs, and trees. Put that same new growth into the hearts and minds of Your servants, these Representatives, as they strive to do what is right for the people of this great State. Strengthen them, give them courage, and the faith, that trusting in You, all things are possible. Look in favor upon our Nation, President, State, Governor, Speaker, and all who labor in these Halls of Government. Protect our defenders of freedom at home and abroad as they protect us. Hear us, O Lord, as we pray. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of Thursday, March 12, the SPEAKER ordered it confirmed.

MOTION ADOPTED

Rep. ANTHONY moved that when the House adjourns, it adjourn in memory of Juanita Free of Union, which was agreed to.

COMMUNICATION

The following was received:

State of South Carolina
Office of the Governor

Columbia, S.C., March 10, 2009

Mr. Speaker and Members of the House of Representatives:

TUESDAY, MARCH 24, 2009

I am transmitting herewith an appointment for confirmation. This appointment is made with advice and consent of the General Assembly and is, therefore, submitted for your consideration.

Local Appointment

Spartanburg County Master-in Equity
Term Commencing: June 30, 2009
Term Expiring: June 30, 2015
Seat: Master-in-Equity

Reappointment

The Honorable Gordon G. Cooper
180 Magnolia Street, Suite 901
Spartanburg, South Carolina 29306

Respectfully,
Mark Sanford
Governor

Received as information.

INVITATIONS

On motion of Rep. KIRSH, with unanimous consent, the following were taken up for immediate consideration and accepted:

March 24, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Podiatric Medical Association, the members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, April 1,

TUESDAY, MARCH 24, 2009

2009, from 8:00 a.m. until 10:00 a.m. in room 112 of the Blatt Building.

Sincerely,
Ashley S. Hunter
Vice President of Governmental Affairs

March 24, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Home Educators' Association, the members and staff of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, April 1, 2009, from 12:00 p.m. until 2:00 p.m. in room 112 of the Blatt Building.

Sincerely,
Greta Clinton
Board Member

March 24, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of The Children's Trust Fund of South Carolina, the members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, April 2, 2009, from 8:00 a.m. until 10:00 a.m. in room 112 of the Blatt Building.

Sincerely,
Sue Oliver
Chief Executive Officer

TUESDAY, MARCH 24, 2009

March 24, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of The Citadel Alumni Association, the members of the House of Representatives and their guests are invited to the 34th Annual Citadel Alumni Association Legislative Barbeque. This event will be held on Tuesday, April 21, 2009, from 6:00 p.m. until 8:00 p.m. at the Cantey Building on the State Fair Grounds.

Sincerely,
Barbara J. Fairfax
Assistant Director

March 24, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Hospitality Association of South Carolina, the members and staff of the House of Representatives are invited to our annual *Taste of South Carolina* Legislative Luncheon. This event will be held on Wednesday, April 22, 2009, from 12:00 p.m. until 2:00 p.m. on the State House Grounds.

Sincerely,
Douglas O'Flaherty
Director of Operations

March 24, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

TUESDAY, MARCH 24, 2009

Dear Chairman Kirsh:

On behalf of the South Carolina Junior Golf Foundation, the members and staff of the House of Representatives are invited to our *Annual Legislator Appreciation Night & Celebration of Golf* reception. This event will be held on Wednesday, April 22, 2009, from 6:00 p.m. until 8:00 p.m. in the Vista Room of the Blue Marlin.

Sincerely,
Joseph A. Quick
Director of Development

March 24, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the National Multiple Sclerosis Society, Mid-Atlantic Chapter, the members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, April 23, 2009, from 8:00 a.m. until 10:00 a.m. in the room 112 of the Blatt Building.

Sincerely,
Angela Jacildone
SC Advocacy Manager

March 24, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Conservation Community, the members of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, April 28, 2009, from 6:00 p.m. until 8:00 p.m. at the Seibels House in Columbia.

TUESDAY, MARCH 24, 2009

Sincerely,
Christie McGregor
Legislative Director

March 24, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Association of Municipal Power Systems, the members of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, April 28, 2009, from 7:00 p.m. until 9:00 p.m. at the Clarion Townhouse Hotel.

Sincerely,
Miriam O. Hair
Executive Director

March 24, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Centers of Economic Excellence Program, Health Sciences of South Carolina and SCRA, the members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, April 29, 2009, from 8:00 a.m. until 10:00 a.m. in room 112 of the Blatt Building.

Sincerely,
Trisha Ostrowski
VP for Public Relations

March 24, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee

[HJ]

TUESDAY, MARCH 24, 2009

503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Zeta Phi Beta Sorority, the members and staff of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, April 29, 2009, from 12:00 p.m. until 2:00 p.m. in room 112 of the Blatt Building.

Sincerely,
Yvonne Jefferson Barnes
Chairperson, Social Action Committee

March 24, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Concrete and Cement Industries of South Carolina, the members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Wednesday, April 29, 2009, from 6:00 p.m. until 8:00 p.m. at the Clarion Townhouse Hotel.

Sincerely,
Michael C. Kanlic
Committee Chair

March 24, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Society of the Plastics Industry, Inc., the members of the House of Representatives are invited to a Legislative Reception. This event will be held on Wednesday, April 29, 2009, from 7:00 p.m. until 9:00 p.m. at the Capital City Club.

[HJ]

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Sincerely,
Pamela E. Rastatter
Executive Assistant

March 24, 2009
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Piedmont Natural Gas, the members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, April 30, 2009, from 8:00 a.m. until 10:00 a.m. in room 112 of the Blatt Building.

Sincerely,
Hank McCullough
Manager – Community Relations

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 4052
Agency: Clemson University - State Crop Pest Commission
Statutory Authority: 1976 Code Section 46-9-40
Light Brown Apple Moth Quarantine
Received by Speaker of the House of Representatives
March 13, 2009
Referred to Agriculture, Natural Resources and Environmental Affairs Committee
Legislative Review Expiration February 17, 2010

CONCURRENT RESOLUTION

On motion of Rep. DELLENEY, with unanimous consent, the following was taken up for immediate consideration:

H. 3717 -- Reps. Delleney, Clemmons and Mack: A CONCURRENT RESOLUTION TO WITHDRAW THE REQUEST FOR A MEETING OF THE JOINT ASSEMBLY OF THE GENERAL

TUESDAY, MARCH 24, 2009

ASSEMBLY ON WEDNESDAY, MARCH 25, 2009, AT ELEVEN O'CLOCK A.M. TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 8, WHOSE TERM EXPIRES JUNE 30, 2009.

Be it resolved by the House of Representatives:

That on March 13, 2009, the Honorable Kenneth G. Goode submitted a letter to the Honorable Jean Hoefer Toal and copied the Chairman of the Judicial Merit Selection Commission, Glenn McConnell. Judge Goode stated that he was notifying the Chief Justice and the chairman that he will retire from his position as Circuit Court Judge, At Large, Seat 8, on July 1, 2009, following the expiration of his current term on June 30, 2009. Thus, the Senate and the House of Representatives will no longer need to meet in joint assembly in the Hall of the House of Representatives Wednesday, March 25, 2009, at eleven o'clock a.m. to elect a successor to the Honorable Kenneth G. Goode, Judge of the Circuit Court, At Large, Seat 8, whose term expires June 30, 2009, and it is requested that the prior Concurrent Resolution (H. 3644) calling for his reelection be withdrawn since it is now moot.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

INTRODUCTION OF BILLS

The following Bills were introduced, read the first time, and referred to appropriate committees:

H. 3718 -- Rep. Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-148 SO AS TO PROHIBIT THE RESALE OF FRESH OR FROZEN MEAT OR MEAT PRODUCTS SOLD TO AND RETURNED BY A CONSUMER.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3719 -- Rep. Clemmons: A BILL TO AMEND SECTION 23-3-240, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUBMISSION OF A MISSING PERSON REPORT TO THE MISSING PERSON INFORMATION CENTER, SO AS TO

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PROVIDE THAT ANY PERSON RESPONSIBLE FOR A MISSING PERSON, MAY SUBMIT A MISSING PERSON REPORT; TO AMEND SECTION 23-3-250, RELATING TO THE DISSEMINATION OF MISSING PERSON REPORT DATA, SO AS TO PROVIDE THAT ANY PERSON RESPONSIBLE FOR A MISSING PERSON REPORT TO A LAW ENFORCEMENT AGENCY; TO AMEND SECTION 23-3-270, RELATING TO THE DUTY OF A PERSON WHO SUBMITS A MISSING PERSON REPORT TO A LAW ENFORCEMENT AGENCY OR THE MISSING PERSON INFORMATION CENTERS TO NOTIFY BOTH ENTITIES OF THE LOCATION OF AN INDIVIDUAL CONTAINED IN THE REPORT WHOSE LOCATION HAS BEEN DETERMINED, SO AS TO PROVIDE THAT ANY PERSON RESPONSIBLE FOR A MISSING PERSON MAY SUBMIT A MISSING PERSON REPORT TO A LAW ENFORCEMENT AGENCY OR TO THE MISSING PERSON INFORMATION CENTER; AND BY ADDING SECTION 23-3-330 SO AS TO ESTABLISH A STATEWIDE SYSTEM FOR THE RAPID DISSEMINATION OF INFORMATION REGARDING A MISSING PERSON WHO IS BELIEVED TO BE SUFFERING FROM DEMENTIA OR OTHER COGNITIVE IMPAIRMENT.

Referred to Committee on Judiciary

H. 3720 -- Rep. Clemmons: A BILL TO AMEND SECTION 15-9-720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SERVICE ON UNKNOWN PARTIES BY PUBLICATION, SO AS TO PROVIDE IN A MORTGAGE FORECLOSURE ACTION INVOLVING MULTIPLE UNITS IN A SINGLE HORIZONTAL PROPERTY REGIME, A PARTY MAY ACCOMPLISH NOTICE BY PUBLICATION BY CONSOLIDATING THE NOTICES INTO A SINGLE NOTICE THAT IDENTIFIES EACH APARTMENT INCLUDED IN THE FORECLOSURE ACTION BASED ON THE APARTMENT'S DESCRIPTION IN THE MASTER DEED.

Referred to Committee on Judiciary

H. 3721 -- Rep. Kirsh: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2008; TO AMEND SECTION 12-6-50, AS AMENDED,

[HJ]

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RELATING TO INTERNAL REVENUE CODE SECTIONS NOT ADOPTED BY STATE LAW, SO AS TO MAKE ADDITIONS; AND TO PROVIDE THAT A TAXPAYER WHO FOLLOWS SECTION 3094 OF THE FEDERAL HOUSING ECONOMIC RECOVERY ACT OF 2008, FOR SOUTH CAROLINA PURPOSES MUST NOT BE PENALIZED.

Referred to Committee on Ways and Means

H. 3722 -- Reps. Kirsh and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-1145 SO AS TO PROVIDE FOR DETERMINATION OF TREATMENT OF GAINS AND LOSSES APPORTIONED TO THIS STATE BY THE INTERNAL REVENUE CODE STANDARDS; BY ADDING SECTION 12-36-2575 SO AS TO PROVIDE FOR FILING OF A RETURN FOR EACH SALES OR USE TAX LIABILITY PERIOD EVEN IF NO TAX LIABILITY ACCRUES FOR THAT PERIOD; TO AMEND SECTION 12-4-320, AS AMENDED, RELATING TO POWERS AND DUTIES OF THE DEPARTMENT OF REVENUE, SO AS TO PROVIDE FOR ADOPTION OF FEDERAL RELIEF FOR CERTAIN ADVERSELY AFFECTED TAXPAYERS; TO AMEND SECTION 12-6-590, AS AMENDED, RELATING TO TREATMENT OF "S" CORPORATIONS FOR TAX PURPOSES, SO AS TO INCLUDE ADDITIONAL REFERENCES TO THE INTERNAL REVENUE CODE FOR SIMILAR STATE TREATMENT; TO AMEND SECTION 12-6-2250, AS AMENDED, RELATING TO THE APPORTIONMENT OF INCOME DERIVED BY A TAXPAYER TO THE TAXPAYER'S CONDUCT OF BUSINESS IN THIS STATE, SO AS TO CHANGE THE WORD "ALLOCATED" TO "APPORTIONED"; TO AMEND SECTION 12-6-2295, RELATING TO INCLUSIONS AND EXCLUSIONS IN CONNECTION WITH THE TERMS "SALES" AND "GROSS RECEIPTS" AS USED IN THE APPORTIONMENT OF INCOME TO THIS STATE FOR STATE INCOME TAX PURPOSES, SO AS TO FURTHER SPECIFY RENTAL AND SALES INCOME FROM TANGIBLE AND INTANGIBLE, REAL AND PERSONAL PROPERTY IN THE ORDINARY COURSE OF THE TAXPAYER'S TRADE OR BUSINESS; TO AMEND SECTION 12-6-3360, AS AMENDED, RELATING TO THE JOB TAX CREDIT AGAINST THE STATE INCOME TAX, SO AS TO DELETE A REFERENCE TO GENERAL CONTRACTORS IN CONNECTION WITH THE TERM

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"CORPORATE OFFICE"; TO AMEND SECTION 12-6-3376, RELATING TO A CREDIT AGAINST THE STATE INCOME TAX FOR THE PURCHASE OR LEASE OF A PLUG-IN HYBRID VEHICLE, SO AS TO REQUIRE THAT THE CREDIT BE THE FIRST CLAIMED FOR THAT VEHICLE, TO PROVIDE FOR REGULATIONS PROMULGATED BY THE STATE ENERGY OFFICE, TO FURTHER PROVIDE FOR CLAIMING THE CAPPED CREDIT, AND TO PROVIDE FOR THE EFFECT OF A REPEAL OF THE CAPS ON THE CREDIT; TO AMEND SECTION 12-6-3377, RELATING TO THE ALTERNATIVE MOTOR VEHICLE FUEL CREDIT AGAINST THE STATE INCOME TAX, SO AS TO FURTHER PROVIDE FOR THE CALCULATION OF THE CREDIT FOR BUSINESS USE AND TO DELETE A PROVISION DEEMING THE FEDERAL TAX TREATMENT OF THE ALTERNATIVE FUEL CREDIT TO BE PERMANENT; TO AMEND SECTION 12-6-3535, AS AMENDED, RELATING TO A CREDIT AGAINST THE STATE INCOME TAX FOR REHABILITATION OF A HISTORIC STRUCTURE, SO AS TO INCLUDE A CREDIT AGAINST THE CORPORATE LICENSE FEES; TO AMEND SECTION 12-6-3550, AS AMENDED, RELATING TO THE VOLUNTARY CLEANUP INCOME TAX CREDIT, SO AS TO CLARIFY THAT THE CREDIT IS ONE AGAINST THE STATE INCOME TAX; TO AMEND SECTION 12-6-3585, AS AMENDED, RELATING TO THE INDUSTRY PARTNERSHIP FUND CREDIT AGAINST STATE TAXES, SO AS TO ALLOW THE CREDIT TO BE USED AGAINST THE TAXPAYER'S APPLICABLE STATE INCOME TAX, BANK TAX, INSURANCE PREMIUM TAX, OR LICENSE FEE LIABILITY; TO AMEND SECTION 12-6-3610, AS AMENDED, RELATING TO INCOME TAX CREDIT FOR PROPERTY USED FOR DISTRIBUTION OR DISPENSING OF RENEWABLE FUEL, SO AS TO DELETE CERTAIN TRANSITIONAL PROVISIONS; TO AMEND SECTION 12-6-3630, RELATING TO A CREDIT AGAINST CERTAIN STATE TAXES FOR A CONTRIBUTION TO THE SOUTH CAROLINA HYDROGEN INFRASTRUCTURE DEVELOPMENT FUND, SO AS TO FURTHER PROVIDE FOR CLAIMING THE CREDIT; TO AMEND SECTION 12-8-1530, RELATING TO QUARTERLY RETURNS OF WITHHELD TAX, SO AS TO REQUIRE RETURNS EVEN IN PERIODS WHEN NO TAX HAS BEEN WITHHELD; TO AMEND SECTION 12-8-1550, RELATING TO STATEMENTS REQUIRED TO BE FILED WITH THE DEPARTMENT OF REVENUE, SO AS TO PROVIDE FOR

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PRESCRIPTION BY THE DEPARTMENT OF EITHER ELECTRONIC OR MAGNETIC MEDIA METHOD FOR SUBMISSION OF CERTAIN INFORMATION; TO AMEND SECTION 12-10-80, AS AMENDED, RELATING TO THE JOB DEVELOPMENT TAX CREDIT, SO AS TO MAKE TECHNICAL CORRECTIONS AND ADD A CROSS REFERENCE; TO AMEND SECTION 12-20-100, RELATING TO LICENSE TAX ON UTILITIES AND ELECTRIC COOPERATIVES, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 12-21-2575, RELATING TO METHODS OF ACCOUNTING FOR ADMISSIONS OTHER THAN TICKETS, SO AS TO PROVIDE THAT THE TICKETS BE COLLECTED AND RETAINED TO ACCOUNT FOR ADMISSIONS; TO AMEND SECTION 12-36-910, AS AMENDED, RELATING TO THE FIVE PERCENT SALES TAX ON THE PROCEEDS OF THE SALE OF TANGIBLE PERSONAL PROPERTY, SO AS TO DELETE A REDUNDANCY AS TO THE TAX ON PROCEEDS FROM THE SALE OF A WARRANTY, MAINTENANCE, OR SIMILAR CONTRACT FOR TANGIBLE PERSONAL PROPERTY; TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE'S SALES TAX, SO AS TO SPECIFY NOTIFICATION REQUIREMENTS FOR CLAIMING THE EXEMPTION ON THE CONSTRUCTION MATERIALS USED IN CERTAIN SINGLE MANUFACTURING AND DISTRIBUTION FACILITIES AND TO PROVIDE FOR ASSESSMENT OF ANY TAX DUE, TO SPECIFY THAT THE EXEMPTION IN CONNECTION WITH THE SALE OF CURRENCY APPLIES TO CURRENCY THAT IS LEGAL TENDER, AND TO CLARIFY THE EXEMPTION AS TO DURABLE MEDICAL EQUIPMENT AND RELATED SUPPLIES; TO AMEND SECTION 12-37-90, RELATING TO DUTIES OF A FULL-TIME COUNTY ASSESSOR, SO AS TO DELETE THE AUTHORITY OF THE DEPARTMENT OF REVENUE TO ALTER A VALUE OF REAL PROPERTY AS SET BY THE ASSESSOR; TO AMEND SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE FOR EXEMPTION OF THE REAL PROPERTY OF DEFINED TAX EXEMPT ORGANIZATIONS AND TO CORRECT A CROSS REFERENCE; TO AMEND SECTION 12-44-30, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO CORRECT A CROSS REFERENCE IN THE DEFINITION OF "SPONSOR"; TO AMEND

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SECTION 12-54-70, AS AMENDED, RELATING TO EXTENSION OF TIME FOR FILING RETURNS OR PAYING TAX, SO AS TO FURTHER DEFINE THE LENGTH OF THE EXTENSION; TO AMEND SECTION 12-54-85, AS AMENDED, RELATING TO TIME LIMITATION FOR ASSESSMENT OF TAXES OR FEES BY THE DEPARTMENT OF REVENUE, SO AS TO PROVIDE FOR THE INSTANCE OF A TAXPAYER LACKING A VALID BUSINESS PURPOSE; TO AMEND SECTION 12-54-240, AS AMENDED, RELATING TO DISCLOSURE OF RECORDS AND REPORTS FILED WITH THE DEPARTMENT OF REVENUE, SO AS TO REQUIRE THAT THE DISCLOSURE MUST BE WILFUL TO GIVE RISE TO THE PENALTIES; TO AMEND SECTION 12-63-20, AS AMENDED, RELATING TO THE ENERGY FREEDOM AND RURAL DEVELOPMENT ACT, SO AS TO DEFINE "BIODIESEL" FOR THAT PURPOSE; TO AMEND SECTION 30-2-320, RELATING TO DISCLOSURE OF IDENTIFYING INFORMATION IN CONNECTION WITH PUBLIC RECORDS, AND SECTION 37-20-180, RELATING TO DISCLOSURE OF IDENTIFYING INFORMATION IN CONNECTION WITH PUBLICATION OF A SOCIAL SECURITY NUMBER, BOTH SO AS TO ALLOW DISCLOSURE BY AND TO THE DEPARTMENT OF REVENUE FOR THE PURPOSE OF CARRYING OUT ITS DUTIES AND RESPONSIBILITIES; TO AMEND SECTION 44-43-1360, AS AMENDED, RELATING TO ADMINISTRATION OF DONATE LIFE SOUTH CAROLINA, SO AS TO CORRECT A CROSS REFERENCE; AND TO REPEAL SECTION 12-20-175, RELATING TO REDUCTION OF LICENSE FEES DUE TO TAX CREDITS AND SECTION 12-36-30, RELATING TO THE DEFINITION OF "PERSON" FOR PURPOSES OF THE SALES AND USE TAX.

Referred to Committee on Ways and Means

H. 3723 -- Rep. Duncan: A BILL TO AMEND SECTION 50-9-510, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HUNTING AND FISHING LICENSES AUTHORIZED FOR SALE, SO AS TO REQUIRE BOTH RESIDENTS AND NONRESIDENTS TO OBTAIN A DOG-DEER PERMIT IN ADDITION TO ALL OTHER REQUIRED LICENSES AND PERMITS FOR THE PRIVILEGE OF HUNTING DEER WITH A DOG, AND TO PROVIDE FOR THE FEES APPLICABLE TO RESIDENTS AND NONRESIDENTS; TO AMEND SECTION 50-9-

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520, AS AMENDED, RELATING TO LIFETIME COMBINATION LICENSES, SO AS TO PERMIT A RESIDENT HOLDER OF A LIFETIME LICENSE TO ADD THE PRIVILEGE OF HUNTING DEER WITH A DOG FOR NO ADDITIONAL COST, AND TO PROVIDE FOR THE USE OF THE REVENUE GENERATED FROM THE SALE OF DOG-DEER PERMITS; AND BY ADDING SECTION 50-11-320 SO AS TO PROVIDE FOR THE MANNER IN WHICH HUNTING DEER WITH A DOG SHALL BE CONDUCTED INCLUDING THE RESPONSIBILITY FOR DOGS USED IN THE HUNT AND TO PROVIDE PENALTIES FOR VIOLATION.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3724 -- Rep. Duncan: A BILL TO AMEND CHAPTER 20, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EDUCATION FINANCE ACT OF 1977, SO AS TO REVISE THE MANNER IN WHICH WEIGHTINGS USED TO PROVIDE FOR RELATIVE COST DIFFERENCES BETWEEN STUDENTS ARE DETERMINED, REVISE THE MANNER IN WHICH SCHOOL DISTRICT FUNDING UNDER THIS ACT IS DISTRIBUTED, INCLUDING ELIMINATING THE INDEX OF TAXPAYING ABILITY, RENAMING "BASE STUDENT COST" AS "WEIGHTED STUDENT COST", AND MODIFYING THE FORMULA FOR COMPUTING WEIGHTED STUDENT COST, AND TO REQUIRE THE GENERAL ASSEMBLY BEGINNING WITH FISCAL YEAR 2010-2011 TO PROVIDE ALLOCATIONS TO SCHOOLS BASED ON THE FULL AMOUNT OF WEIGHTED STUDENT COST DETERMINED UNDER THIS CHAPTER; BY ADDING ARTICLE 7 TO CHAPTER 69, TITLE 59 SO AS TO PROVIDE THAT ALLOCATIONS MADE TO SCHOOLS UNDER THE EDUCATION IMPROVEMENT ACT MUST BE DISBURSED DIRECTLY TO INDIVIDUAL SCHOOLS WITHOUT REGARD TO A DESIGNATED PURPOSE IN THE SAME MANNER AND FORMULA AS CONTAINED IN THE EDUCATION FINANCE ACT; AND TO REPEAL SECTIONS 4-10-810 AND 59-21-1030 RELATING TO THE LEVEL OF FINANCIAL EFFORT PER PUPIL REQUIRED OF SCHOOL DISTRICTS.

Referred to Committee on Ways and Means

H. 3730 -- Rep. Cooper: A JOINT RESOLUTION TO PROVIDE THAT ALL FUNDS RECEIVED UNDER THE AMERICAN

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RECOVERY AND REINVESTMENT ACT OF 2009 (RECOVERY ACT) FOR THE CLEAN WATER STATE REVOLVING FUND AND DRINKING WATER STATE REVOLVING FUND MAY BE RECEIVED AND EXPENDED PURSUANT TO PROVISIONS OF THE RECOVERY ACT FOR SO LONG AS MONIES ARE AVAILABLE UNDER THE RECOVERY ACT.

Referred to Committee on Ways and Means

H. 3731 -- Rep. King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 21, TITLE 24 SO AS TO ENACT THE "FRIENDSHIP NINE ACT", TO PROVIDE A PROCEDURE WHEREBY A PERSON WHO MAY OBTAIN A PARDON FOR A CONVICTION FOR CONDUCT RELATED TO THE PROTESTING OR CHALLENGING A STATE LAW, OR A COUNTY OR MUNICIPAL ORDINANCE WHOSE PURPOSE WAS TO MAINTAIN RACIAL SEGREGATION OR RACIAL DISCRIMINATION OF INDIVIDUALS.

Referred to Committee on Judiciary

H. 3733 -- Reps. Agnew and Gambrell: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON MARCH 2, 2009, BY THE STUDENTS OF THE ABBEVILLE COUNTY SCHOOL DISTRICT WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW IS EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

On motion of Rep. AGNEW, with unanimous consent, the Joint Resolution was ordered placed on the Calendar without reference.

H. 3734 -- Rep. Vick: A BILL TO AMEND SECTION 9-11-25, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPTION ALLOWED PROBATE JUDGES TO PARTICIPATE IN THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM (SCPORS), SO AS TO EXTEND THIS OPTION TO ASSISTANT SOLICITORS EMPLOYED BEFORE JULY 1, 2010, AND TO REQUIRE ALL ASSISTANT SOLICITORS HIRED AFTER JUNE 30, 2010, TO PARTICIPATE IN SCPORS, TO REQUIRE THAT EMPLOYER CONTRIBUTIONS FOR ASSISTANT SOLICITORS PARTICIPATING IN SCPORS IN EXCESS OF THE EMPLOYER CONTRIBUTIONS THAT ARE

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REQUIRED FOR THEIR PARTICIPATION IN THE SOUTH CAROLINA RETIREMENT SYSTEM MUST BE PAID FROM STATE FUNDS APPROPRIATED FOR THE OPERATIONS OF THE OFFICE IN WHICH THE ASSISTANT SOLICITOR SERVES, AND TO CLARIFY A REFERENCE.

Referred to Committee on Ways and Means

H. 3735 -- Rep. Vick: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ANN S. PERDUE INDEPENDENT AUTOPSY FAIRNESS ACT OF 2009", BY ADDING SECTION 44-43-730 SO AS TO PROVIDE THAT IF A PERSON DIES IN A HOSPITAL, THE HOSPITAL SHALL OFFER IN WRITING TO THE PATIENT'S FAMILY THE RIGHT OF HAVING AN AUTOPSY PERFORMED; AND TO AMEND SECTION 17-5-530, RELATING TO CIRCUMSTANCES REQUIRING THE CORONER OR MEDICAL EXAMINER TO BE NOTIFIED OF CERTAIN DEATHS, SO AS TO REQUIRE SUCH NOTIFICATION WHEN A PERSON DIES IN A HEALTH CARE FACILITY WITHIN TWENTY FOUR HOURS OF ENTERING A HEALTH CARE FACILITY OR OF HAVING AN INVASIVE SURGICAL PROCEDURE PERFORMED.

Referred to Committee on Medical, Military, Public and Municipal Affairs

H. 3736 -- Reps. Rice, Cato, Hiott, Owens and Wylie: A BILL TO AMEND SECTION 41-7-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORIZED DEDUCTIONS OF LABOR ORGANIZATION MEMBERSHIP DUES FROM WAGES, SO AS TO REVISE THE MANNER IN WHICH AND CONDITIONS UNDER WHICH THESE DEDUCTIONS MAY BE MADE AND FOR CERTAIN PROHIBITED DEDUCTIONS.

Referred to Committee on Labor, Commerce and Industry

H. 3737 -- Reps. E. H. Pitts, Gunn and Pinson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "PUBLIC SCHOOL CHOICE PROGRAM ACT" BY ADDING CHAPTER 62 TO TITLE 59 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO PROVIDE SCHOOL DISTRICTS WITH INFORMATION CONCERNING SCHOOL CHOICE PROGRAM RESEARCH; TO REQUIRE THE

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DEPARTMENT TO DEVELOP AN INVENTORY OF AVAILABLE PUBLIC SCHOOL CHOICE OPTIONS AND MAKE THE LIST AVAILABLE TO DISTRICTS AND TO THE GENERAL ASSEMBLY; TO REQUIRE EACH SCHOOL DISTRICT TO CONVENE A SCHOOL CHOICE COMMITTEE, TO DETERMINE THE MEMBERSHIP OF THE COMMITTEE, AND TO DEVELOP A SCHOOL CHOICE OPTION PLAN THAT MUST BE SUBMITTED TO THE DEPARTMENT; TO REQUIRE SCHOOL DISTRICTS BEGINNING WITH THE 2010-2011 SCHOOL YEAR TO IMPLEMENT THEIR PLANS, AND TO PROVIDE FOR THE FUNDING OF THOSE PLANS; TO REQUIRE THE SCHOOL CHOICE COMMITTEE OF EACH DISTRICT DURING THE 2010-2011 SCHOOL YEAR TO DETERMINE THE FEASIBILITY OF ESTABLISHING A PARTNERSHIP WITH NEIGHBORING DISTRICTS TO PARTICIPATE IN A VOLUNTARY OPEN ENROLLMENT PROGRAM, TO REQUIRE THE COMMITTEE TO REPORT ITS FINDINGS TO THE DISTRICT, AND TO PROVIDE WHAT THE REPORT MUST INCLUDE; TO REQUIRE DISTRICTS THAT CHOOSE TO PARTICIPATE IN VOLUNTARY OPEN ENROLLMENT PROGRAMS TO SUBMIT INTERDISTRICT AGREEMENTS AND CRITERIA OF THE PROGRAM TO THE DEPARTMENT; TO PROVIDE REQUIREMENTS FOR DISTRICTS THAT CHOOSE TO PARTICIPATE IN VOLUNTARY OPEN ENROLLMENT PROGRAMS; TO REQUIRE EACH DISTRICT TO REPORT TO THE GENERAL ASSEMBLY ON THE TYPES OF CHOICE OPTIONS OFFERED WITHIN THE DISTRICT AND OTHER INFORMATION CONCERNING THOSE OPTIONS; TO PROVIDE FOR FUNDING BY THE GENERAL ASSEMBLY TO OFFSET THE COST OF TRANSPORTATION; TO PROVIDE FOR THE PURPOSE OF THE CHAPTER; AND TO DEFINE CERTAIN TERMS.

Referred to Committee on Ways and Means

S. 19 -- Senator Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-116-45 SO AS TO PROVIDE THAT EVERY POLICE/SECURITY DEPARTMENT SHALL IMPLEMENT POLICIES AND PROCEDURES TO GOVERN THEIR OPERATIONS; TO AMEND SECTIONS 59-116-10, 59-116-20, 59-116-30, 59-116-50, 59-116-60, 59-116-80, 59-116-100, AND 59-116-120, RELATING TO THE ESTABLISHMENT, POWERS, AND OPERATION OF CAMPUS

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SECURITY DEPARTMENTS, SO AS TO REVISE THE DEFINITION OF THE TERMS "CAMPUS" AND "CAMPUS POLICE OFFICER", AND TO DEFINE THE TERM "CAMPUS SECURITY OFFICER", TO MAKE TECHNICAL CHANGES, TO REVISE THE JURISDICTIONAL BOUNDARY OF A CONSTABLE AND SECURITY OFFICER, AND TO REVISE THE MARKINGS THAT MAY APPEAR ON A CAMPUS POLICE OFFICER'S VEHICLE AND TO PROVIDE FOR THE USE OF CAMPUS UNMARKED VEHICLES; AND TO REPEAL SECTION 59-116-70, RELATING TO THE POSTING OF A BOND BY A CAMPUS POLICE OFFICER BEFORE THE ASSUMPTION OF THEIR DUTIES.

Referred to Committee on Judiciary

S. 185 -- Senator McConnell: A BILL TO AMEND SECTION 56-3-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES APPLICATION FOR THE REGISTRATION AND LICENSING OF A VEHICLE, SO AS TO PROVIDE THAT THE APPLICATION MUST INCLUDE A VALID COPY OF THE OWNER'S SOUTH CAROLINA DRIVER'S LICENSE.

Referred to Committee on Education and Public Works

S. 186 -- Senators McConnell and Campsen: A BILL TO AMEND SECTION 15-77-300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALLOWANCE OF ATTORNEY'S FEES IN STATE-INITIATED ACTIONS, SO AS TO LIMIT THE FEE TO A REASONABLE TIME EXPENDED AT A REASONABLE RATE.

Referred to Committee on Judiciary

S. 545 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, COMMISSIONERS OF PILOTAGE, RELATING TO PILOT AND APPRENTICE AGE LIMITATIONS; SHORT BRANCH QUALIFICATIONS; PILOT FUNCTIONS AND RESPONSIBILITIES; AND PENALTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4041, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Labor, Commerce and Industry

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S. 548 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO LICENSING OF ONSITE WASTEWATER SYSTEM MASTER CONTRACTORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 3210, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

HOUSE RESOLUTION

The following was introduced:

H. 3725 -- Rep. Battle: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE MARION HIGH SCHOOL "LADY SWAMP FOXES" BASKETBALL TEAM ON ITS IMPRESSIVE WIN OF THE 2009 CLASS AA STATE CHAMPIONSHIP TITLE, AND TO HONOR THE PLAYERS, COACH, AND STAFF ON AN OUTSTANDING SEASON.

The Resolution was adopted.

HOUSE RESOLUTION

On motion of Rep. BATTLE, with unanimous consent, the following was taken up for immediate consideration:

H. 3726 -- Rep. Battle: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE MARION HIGH SCHOOL GIRLS' BASKETBALL TEAM, COACH, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON THEIR OUTSTANDING SEASON AND FOR CAPTURING THE 2009 CLASS AA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Marion High School girls' basketball team, coach, and school officials, at a date and time to be

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determined by the Speaker, for the purpose of recognizing and commending them on their outstanding season and for capturing the 2009 Class AA State Championship title.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3727 -- Rep. Battle: A HOUSE RESOLUTION TO RECOGNIZE MYRON WHEELER OF MARION COUNTY FOR HIS MANY YEARS OF SERVICE ON THE MARION COUNTY VOTER REGISTRATION AND ELECTION COMMISSION UPON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM MUCH FULFILLMENT AND SUCCESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3728 -- Rep. Harrison: A HOUSE RESOLUTION TO RECOGNIZE AND WELCOME THE CONTINGENT OF JAPANESE STUDENTS AND THEIR CHAPERONE VISITING SOUTH CAROLINA FROM MARCH 22, 2009, TO APRIL 1, 2009, AND TO COMMEND THE CULTURAL CONNECTIONS PROGRAM OF BLYTHEWOOD, FOR ITS MISSION TO BRIDGE COMMUNICATION BETWEEN OUR GREAT NATION AND THE PEOPLE OF JAPAN.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3729 -- Rep. Toole: A HOUSE RESOLUTION TO RECOGNIZE THE FIRST ANNUAL LOVE CHEVROLET COLUMBIA SPEEDWAY SPRING FESTIVAL, TO BE HELD SATURDAY, APRIL 25, 2009, IN HONOR OF COLUMBIA SPEEDWAY'S RICH

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**STOCK-CAR RACING HISTORY AND THE VETERAN DRIVERS
WHO COMPETED THERE.**

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3732 -- Reps. Gambrell, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE NEALS CREEK BAPTIST CHURCH OF ANDERSON ON THE OCCASION OF ITS TWO HUNDRED SIXTH ANNIVERSARY AND TO COMMEND THE CHURCH FOR MORE THAN TWO CENTURIES OF SERVICE TO THE COMMUNITY.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3738 -- Rep. Huggins: A HOUSE RESOLUTION TO RECOGNIZE MICKEY LINDLER FOR HER OUTSTANDING WORK ON BEHALF OF THE STATE OF SOUTH CAROLINA, AND TO COMMEND HER ON BEING NAMED THE STATE

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EMPLOYEES ASSOCIATION'S RETIRED STATE EMPLOYEE OF
THE YEAR FOR THE RICHLAND AND LEXINGTON CHAPTER.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was taken up for immediate consideration:

S. 552 -- Senators Courson, Rose, Fair and L. Martin: A
CONCURRENT RESOLUTION RECOGNIZING THE DILIGENT
EFFORTS OF HOME SCHOOLING PARENTS AND THE
ACADEMIC SUCCESS OF THEIR STUDENTS, EXPRESSING
SINCERE APPRECIATION FOR THEIR FOCUS ON THE WELL-
BEING AND OVERALL ACHIEVEMENTS OF THEIR CHILDREN,
AND DECLARING APRIL 2009, HOME SCHOOL RECOGNITION
MONTH.

Whereas, the State of South Carolina is committed to excellence in
education and student achievement; and

Whereas, the State of South Carolina appropriately recognizes, by
law, the right to home education as a legitimate and viable educational
alternative; and

Whereas, the State of South Carolina recognizes the critical
importance and fundamental right of parents to be actively involved in
the direction of their children's education and character development;
and

Whereas, South Carolina now has more children being educated at
home schools than ever before in the history of our State; and

Whereas, home schooling can provide families the opportunity for
their children to receive a sound academic education, which is
reinforced by the at-home educational process; and

Whereas, studies confirm that children who are educated at home
score exceptionally well on nationally normed achievement tests,
exhibit self-confidence and good citizenship, and are fully prepared to
meet the challenges of today's society; and

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Whereas, teaching children at home was the predominant form of education for much of America's early years; and

Whereas, many notable Americans have been the product of home education, including George and Martha Washington, Benjamin Franklin, Abigail Adams, John Quincy Adams, Thomas Edison, Helen Keller, Douglas MacArthur, Pearl S. Buck, Franklin Roosevelt, Patrick Henry, John Marshall, Abraham Lincoln, Booker T. Washington, and Woodrow Wilson; and

Whereas, some parents of students who home school have accepted an additional financial responsibility to provide for their children's education, while at the same time paying taxes that support South Carolina's public school system; and

Whereas, some parent educators devote countless hours to helping their children attain academic excellence, a deep sense of patriotism, and civic responsibility, and prepare them to become productive citizens; and

Whereas, it is appropriate that South Carolina's home-educating families be recognized for their selfless contribution to the quality of education in this great State. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the members of the South Carolina General Assembly do hereby recognize the diligent efforts of home schooling parents and the academic success of their students, express sincere appreciation for their focus on the well-being and overall achievements of their children, and declare April 2009, Home School Recognition Month.

Be it further resolved that a copy of this resolution be forwarded to the members of the home school community.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

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CONCURRENT RESOLUTION

The following was taken up for immediate consideration:

S. 558 -- Senator Courson: A CONCURRENT RESOLUTION TO RECOGNIZE AND EXPRESS DEEP APPRECIATION TO THE INDEPENDENT COLLEGES AND UNIVERSITIES IN SOUTH CAROLINA DURING "INDEPENDENT COLLEGE AND UNIVERSITY WEEK" OF APRIL 20-24, 2009, AND ON "INDEPENDENT COLLEGE AND UNIVERSITY DAY" ON APRIL 22, 2009, FOR THEIR OUTSTANDING CONTRIBUTIONS IN EDUCATING OUR STATE'S AND NATION'S YOUTH.

Whereas, serving nearly thirty-three thousand students across our State, independent colleges and universities are dedicated to providing high quality, post-secondary educational opportunities; and

Whereas, these institutions have established an unparalleled record of excellence in teaching and nurturing students, adapting to ever-evolving student needs, technological advances, and social trends while providing a full range of educational experiences; and

Whereas, independent colleges and universities in the Palmetto State share a common commitment to promoting critical thinking and creativity by preparing students for full lives, productive careers, and active citizenship; and

Whereas, in recognition and appreciation for all our state's wonderful independent colleges and universities, Governor Mark Sanford has proclaimed April 20-24, 2009, as "Independent College and University Week" in South Carolina and April 22, 2009, as "Independent College and University Day"; and

Whereas, the General Assembly, by this resolution, joins with Governor Sanford in expressing deep appreciation to all these fine South Carolina institutions for their role in providing an outstanding education to students from all walks of life; and

Whereas, the General Assembly further encourages all South Carolinians to recognize our independent colleges and universities for their positive contributions in ensuring our state's continued status as a leader in higher education. Now, therefore,

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Be it resolved by the Senate, the House of Representatives concurring:

That the members of the General Assembly recognize and express deep appreciation to the independent colleges and universities in South Carolina during "Independent College and University Week" of April 20-24, 2009, and on "Independent College and University Day" on April 22, 2009, for their outstanding contributions in educating our state's and nation's youth.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 559 -- Senator Courson: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES ON THURSDAY, JUNE 11, 2009, AND FRIDAY, JUNE 12, 2009.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

CONCURRENT RESOLUTION

The following was taken up for immediate consideration:

S. 586 -- Senators McConnell, Ford and Knotts: A CONCURRENT RESOLUTION TO WITHDRAW THE REQUEST FOR A MEETING OF THE JOINT ASSEMBLY ON WEDNESDAY, MARCH 25, 2009, AT ELEVEN A.M. TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 8, WHOSE TERM EXPIRES JUNE 30, 2009.

Be it resolved by the Senate, the House of Representatives concurring:

That on March 13, 2009, the Honorable Kenneth G. Goode submitted a letter to the Honorable Jean Hoefer Toal and copied the Chairman of the Judicial Merit Selection Commission Glenn McConnell. Judge Goode stated that he was notifying the Chief Justice

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and the Chairman that he will retire from his position as Circuit Court Judge, At-Large Seat 8 on July 1, 2009, following the expiration of his current term on June 30, 2009. Thus, the Senate and the House of Representatives will no longer need to meet in joint assembly in the Hall of the House of Representatives Wednesday, March 25, 2009, at eleven a.m. to elect a successor to the Honorable Kenneth G. Goode, Judge of the Circuit Court, At-Large, Seat 8, whose term expires June 30, 2009, and it is requested that the prior Concurrent Resolution (H. 3644) calling for his re-election be withdrawn since it is now moot.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 587 -- Senator Verdin: A CONCURRENT RESOLUTION TO CONGRATULATE AND HONOR DR. EDGAR COPELAND TAYLOR OF LAURENS, SOUTH CAROLINA FOR HIS OUTSTANDING THIRTY-EIGHT YEAR CAREER IN EDUCATION UPON HIS RETIREMENT, AND TO WISH HIM SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 596 -- Senators Knotts, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Mulvaney, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY SERGEANT SHAWN F. HILL OF THE SOUTH CAROLINA ARMY NATIONAL GUARD WHILE HE WAS SERVING A TOUR OF MILITARY DUTY IN AFGHANISTAN, AND TO EXPRESS TO HIS FAMILY THE DEEPEST APPRECIATION OF A GRATEFUL

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STATE AND NATION FOR HIS LIFE, SACRIFICE, AND SERVICE.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

ROLL CALL

The roll call of the House of Representatives was taken resulting as follows:

Agnew	Alexander	Allen
Allison	Anderson	Anthony
Bales	Bannister	Barfield
Battle	Bedingfield	Bingham
Bowen	Bowers	Brady
Branham	Brantley	R. L. Brown
Cato	Chalk	Clyburn
Cobb-Hunter	Cole	Cooper
Daning	Delleney	Dillard
Duncan	Edge	Erickson
Forrester	Frye	Funderburk
Gambrell	Gilliard	Govan
Gullick	Gunn	Haley
Hamilton	Hardwick	Harrell
Harrison	Hart	Harvin
Hayes	Hearn	Herbkersman
Hiott	Hodges	Horne
Hosey	Howard	Huggins
Hutto	Jefferson	Jennings
Kelly	Kennedy	King
Kirsh	Littlejohn	Loftis
Long	Lucas	Mack
McEachern	McLeod	Merrill
Miller	Millwood	Moss
Nanney	J. H. Neal	J. M. Neal
Ott	Owens	Parker
Pinson	E. H. Pitts	M. A. Pitts
Rice	Sandifer	Sellers
Simrill	Skelton	D. C. Smith
G. M. Smith	G. R. Smith	J. E. Smith
J. R. Smith	Sottile	Spires
Stewart	Stringer	Thompson

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Toole	Umphlett	Vick
Weeks	White	Whitmire
Williams	Willis	Wylie
A. D. Young	T. R. Young	

STATEMENT OF ATTENDANCE

I came in after the roll call and was present for the Session on Tuesday, March 24.

Grady Brown	Boyd Brown
Alan D. Clemmons	Kris Crawford
H.B. "Chip" Limehouse	Phillip Lowe
Anne Parks	Timothy E. Scott
Thad Viers	Patsy Knight
Denny Neilson	Harold Mitchell
Leon Stavrinakis	

Total Present--120

LEAVE OF ABSENCE

The SPEAKER granted Rep. BALLENTINE a leave of absence for the day due to business reasons.

DOCTOR OF THE DAY

Announcement was made that Dr. Terry L. Dodge of Rock Hill was the Doctor of the Day for the General Assembly.

CO-SPONSORS ADDED

In accordance with House Rule 5.2 below:

"5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee."

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CO-SPONSOR ADDED

Bill Number: H. 3311
Date: ADD:
03/24/09 BANNISTER

CO-SPONSOR ADDED

Bill Number: H. 3305
Date: ADD:
03/24/09 MOSS

H. 3705--AMENDED AND ORDERED TO THIRD READING

The following Joint Resolution was taken up:

H. 3705 -- Rep. Cooper: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON MARCH 2, 2009, BY THE STUDENTS OF ANDERSON SCHOOL DISTRICT 1 WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW IS EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

Rep. COOPER proposed the following Amendment No. 1 (COUNCIL\NBD\11359BH09), which was adopted:

Amend the joint resolution, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Pursuant to the provisions of Section 59-1-425(C) of the 1976 Code, the school day missed on March 2, 2009, by the students of Anderson School Districts 1, 2, 3, 4, and 5 when the schools were closed due to snow is waived from the make-up requirement that full school days missed due to snow, extreme weather, or other disruptions be made up.

SECTION 2. This joint resolution takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

The amendment was then adopted.

The Joint Resolution, as amended, was read the second time and ordered to third reading.

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H. 3561--DEBATE ADJOURNED

The following Joint Resolution was taken up:

H. 3561 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE REVENUES FOR THE OPERATIONS OF STATE GOVERNMENT FOR FISCAL YEAR 2009-2010 TO SUPPLEMENT APPROPRIATIONS MADE FOR THOSE PURPOSES BY THE GENERAL APPROPRIATIONS ACT FOR FISCAL YEAR 2009-2010.

Rep. COOPER moved to adjourn debate on the Joint Resolution until Wednesday, March 25, which was agreed to.

ORDERED TO THIRD READING

The following Bills were taken up, read the second time, and ordered to a third reading:

H. 3438 -- Reps. Brady and Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 38-9-225 AND 38-9-230 SO AS TO ENACT PROVISIONS REQUIRING CERTAIN INSURERS TO FILE A STATEMENT OF ACTUARIAL OPINION AND ACTUARIAL OPINION SUMMARY ANNUALLY AND PROVIDE FOR THE CONFIDENTIALITY OF THESE DOCUMENTS; TO AMEND SECTION 38-5-120, RELATING TO THE REVOCATION OR SUSPENSION OF LICENSE OF AN INSURER AND ITS OFFICERS AND AGENTS FOR THE PUBLICATION OF THE NOTICE, SO AS TO PROVIDE A PROCEDURE FOR AN AGGRIEVED INSURER TO REQUEST A HEARING BEFORE THE DIRECTOR OR HIS DESIGNEE AND PROVIDE RECOURSE THROUGH JUDICIAL REVIEW; TO AMEND SECTION 38-9-330, RELATING TO THE DEFINITION OF "COMPANY ACTION LEVEL EVENT", SO AS TO REDEFINE THE TERM; AND TO AMEND SECTION 38-21-95, RELATING TO APPROVAL FOR ACQUISITION OF A DOMESTIC INSURER BY A CONTROLLING PRODUCER IN ANOTHER STATE, SO AS TO DELETE THE APPLICABILITY TO FOREIGN PRODUCERS AND CORRECT INCORRECT REFERENCES.

Rep. BRADY explained the Bill.

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H. 3664 -- Rep. Merrill: A BILL TO AMEND SECTION 59-147-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF REVENUE BONDS UNDER THE PROVISIONS OF THE HIGHER EDUCATION REVENUE BOND ACT, SO AS TO CLARIFY THOSE ELIGIBLE FACILITIES WHICH MAY BE FINANCED UNDER THE ACT; AND TO REPEAL SECTION 59-147-120 RELATING TO LIMITATIONS ON THE ISSUANCE OF CERTAIN REVENUE BONDS.

Rep. MERRILL explained the Bill.

H. 3562--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3562 -- Reps. Brady and Sandifer: A BILL TO AMEND SECTION 38-1-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS USED IN TITLE 38 PERTAINING TO INSURANCE, SO AS TO ADD THE DEFINITIONS OF "GENERAL APPOINTMENT", "LOCAL APPOINTMENT", "SPECIAL APPOINTMENT", "CROP INSURANCE", AND "TRAVEL INSURANCE", CORRECT ARCHAIC LANGUAGE, AND MAKE CONFORMING AMENDMENTS; TO AMEND SECTION 38-39-20, RELATING TO PREMIUM SERVICE COMPANIES, SO AS TO PROVIDE THAT THE FEE FOR LICENSURE TO ENGAGE IN SERVICING INSURANCE PREMIUMS IN THIS STATE IS DUE ON A BIENNIAL BASIS RATHER THAN ON AN ANNUAL BASIS; TO AMEND SECTION 38-43-80, AS AMENDED, RELATING TO LICENSE FEES FOR INSURANCE PRODUCERS AND AGENCIES, SO AS TO PROVIDE FOR A BIENNIAL PRODUCER LICENSE RENEWAL FEE OF TWENTY-FIVE DOLLARS, INCREASE THE INITIAL PRODUCER LICENSE RENEWAL FEE FROM TWENTY DOLLARS TO TWENTY-FIVE DOLLARS, AND PROVIDE FOR THE REQUIREMENTS RELATING TO THE PAYMENT OF APPOINTMENT FEES; TO AMEND SECTION 38-43-106, AS AMENDED, RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR INSURANCE PRODUCERS, SO AS TO PROVIDE THAT THE BIENNIAL COMPLIANCE PERIOD IS BASED ON THE LICENSEE'S MONTH AND YEAR OF BIRTH; TO AMEND SECTION 38-43-110, AS AMENDED, RELATING TO THE DURATION OF AN INSURANCE

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PRODUCER'S LICENSE, SO AS TO PROVIDE THAT INDIVIDUAL LICENSES MUST BE RENEWED BIENNIALLY BASED ON THE LICENSEE'S MONTH AND YEAR OF BIRTH AND PROVIDE FOR THE REQUIREMENTS RELATING TO RENEWAL; TO AMEND SECTION 38-43-200, AS AMENDED, RELATING TO THE PROHIBITION ON SPLITTING COMMISSIONS WITH AN UNLICENSED PERSON BY AN INSURANCE PRODUCER, SO AS TO DELETE THE EXISTING PROVISIONS AND PROVIDE FOR THE REQUIREMENTS RELATING TO THE SPLITTING AND SHARING OF COMMISSIONS; TO AMEND SECTION 38-45-10, RELATING TO THE DEFINITIONS OF AN INSURANCE BROKER, SO AS TO PROVIDE FOR THE QUALIFYING DUTIES AND PROVIDE FOR EXCEPTIONS; AND TO AMEND SECTION 38-45-20, AS AMENDED, RELATING TO THE REQUIREMENTS FOR LICENSURE AS AN INSURANCE BROKER, SO AS TO DELETE THE REQUIREMENTS THAT A BROKER HOLD AT LEAST ONE APPOINTMENT.

Rep. SANDIFER proposed the following Amendment No. 1 (COUNCIL\DKA\3683DW09), which was adopted:

Amend the bill, as and if amended, Section 38-1-20(36), SECTION 1, page 6, line 40, after /guaranty./, by inserting / mortgage disability ./.

Amend further, Section 38-43-80, SECTION 3, page 11, line 15, by striking / order of the director/ and inserting / order of the director regulation or statute ./.

Renumber sections to conform.

Amend title to conform.

Rep. BRADY explained the amendment.

The amendment was then adopted.

Rep. BRADY demanded the yeas and nays which were taken, resulting as follows:

Yeas 87; Nays 12

Those who voted in the affirmative are:

Agnew	Allen	Anderson
Bales	Bannister	Barfield
Battle	Bingham	Bowen
Brady	Brantley	H. B. Brown

[HJ]

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R. L. Brown	Chalk	Clemmons
Clyburn	Cobb-Hunter	Cole
Cooper	Daning	Delleney
Dillard	Funderburk	Gambrell
Gilliard	Govan	Gullick
Gunn	Hardwick	Harrell
Harrison	Harvin	Hayes
Hearn	Hiott	Hodges
Horne	Hosey	Huggins
Hutto	Jefferson	Jennings
Kelly	King	Kirsh
Limehouse	Littlejohn	Long
Lowe	Lucas	Mack
McEachern	McLeod	Merrill
Miller	Moss	Nanney
J. H. Neal	J. M. Neal	Ott
Owens	Parks	Pinson
E. H. Pitts	M. A. Pitts	Rice
Sandifer	Scott	Sellers
Simrill	Skelton	G. M. Smith
J. E. Smith	Sottile	Spires
Stringer	Thompson	Toole
Umphlett	Vick	Viers
Weeks	White	Whitmire
Wylie	A. D. Young	T. R. Young

Total--87

Those who voted in the negative are:

Allison	Cato	Duncan
Erickson	Forrester	Frye
Hamilton	Kennedy	Loftis
Millwood	Parker	Willis

Total--12

So, the Bill, as amended, was read the second time and ordered to third reading.

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RECORD FOR VOTING

I was temporarily out of the Chamber during the vote on H. 3562. I am opposed to putting fees on small businesses and had I been present, I would have voted against the Bill.

Rep. Nikki Haley

H. 3413--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3413 -- Rep. Harrison: A BILL TO AMEND SECTION 61-4-1910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS REGARDING BEER KEG REGISTRATION REQUIREMENTS, SO AS TO REVISE THE DEFINITION OF "KEG".

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\MS\7265AHB09), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 1 in its entirety and inserting:

/ SECTION 1. Section 61-4-1910(1) of the 1976 Code, as added by Act 103 of 2007, is amended to read:

“(1) ‘Keg’ means a container of beer with a capacity of ~~5-16~~5.26 gallons or more that is designed to dispense beer directly from the container in an off-premises location.” /

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

The amendment was then adopted.

The Bill, as amended, was read the second time and ordered to third reading.

H. 3442--REQUESTS FOR DEBATE

The following Bill was taken up:

H. 3442 -- Reps. Bingham, Harrell, Duncan, Harrison, Owens, Toole, Merrill, Brady, E. H. Pitts, G. M. Smith, Daning, Haley, Huggins, Cato, Ballentine, D. C. Smith, J. R. Smith, Rice, T. R. Young, Horne and Wylie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-29-300 SO

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AS CREATE THE WORKFORCE DEPARTMENT APPELLATE PANEL WITHIN THE DEPARTMENT OF WORKFORCE, TO PROVIDE FOR THE FILLING OF A VACANCY, TO REQUIRE THE PRESENT MEMBERS OF THE SOUTH CAROLINA EMPLOYMENT SECURITY COMMISSION MUST CONSTITUTE THE INITIAL MEMBERSHIP OF THE NEW PANEL, TO PROVIDE THE PANEL SHALL DISSOLVE WHEN THE MEMBERS' TERMS EXPIRE IN 2012, AND TO PROVIDE RELATED APPELLATE PROCEDURES; BY ADDING SECTION 41-29-310 SO AS TO TRANSFER THE WORKFORCE INVESTMENT ACT PROGRAM FROM THE DEPARTMENT OF COMMERCE TO THE DEPARTMENT OF WORKFORCE; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO DEPARTMENTS WITHIN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, SO AS TO CREATE THE SOUTH CAROLINA DEPARTMENT OF WORKFORCE WITHIN THE EXECUTIVE BRANCH; TO AMEND SECTION 41-29-10, RELATING TO THE EMPLOYMENT SECURITY COMMISSION, SO AS TO PROVIDE THAT CERTAIN CHAPTERS WITHIN TITLE 41 MUST BE ADMINISTERED BY THE DEPARTMENT OF WORKFORCE AND TO DELETE REFERENCES TO THE EMPLOYMENT SECURITY COMMISSION; TO AMEND SECTION 41-29-20, RELATING TO THE CHAIRMAN, QUORUM, AND FILLING OF A VACANCY ON THE EMPLOYMENT SECURITY COMMISSION, SO AS TO DELETE THE EXISTING LANGUAGE AND TO PROVIDE THE DEPARTMENT OF WORKFORCE MUST BE MANAGED AND OPERATED BY A DIRECTOR APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, AND THAT THE DIRECTOR IS SUBJECT TO REMOVAL BY THE GOVERNOR AT HIS DISCRETION BY EXECUTIVE ORDER; TO AMEND SECTION 41-29-30, RELATING TO THE APPOINTMENT OF A SECRETARY OF THE EMPLOYMENT SECURITY COMMISSION, SO AS TO DELETE THE EXISTING LANGUAGE AND PROVIDE THE DIRECTOR OF THE DEPARTMENT OF WORKFORCE OR HIS DESIGNEE MUST RECEIVE ANNUAL COMPENSATION AS PROVIDED BY THE GENERAL ASSEMBLY AND OFFICIAL EXPENSES AS PROVIDED BY LAW FOR EXECUTING THE DUTIES AND FUNCTIONS OF THE DEPARTMENT; TO AMEND SECTION 8-17-370, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE EMPLOYEE GRIEVANCE PROCESS, SO AS TO

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INCLUDE EMPLOYEES OF THE DEPARTMENT OF WORKFORCE AMONG THOSE EXEMPTED; TO AMEND SECTIONS 41-27-10, 41-27-30, 41-27-150, 41-27-160, 41-27-190, 41-27-210, AS AMENDED, 41-27-230, 41-27-235, AS AMENDED, 41-27-260, AS AMENDED, 41-27-360, 41-27-370, AS AMENDED, 41-27-380, 41-27-390, 41-27-510, 41-27-550, 41-27-560, 41-27-570, 41-27-580, 41-27-600, 41-27-610, 41-27-620, 41-27-630, 41-27-670, 41-29-40, 41-29-50, 41-29-60, 41-29-70, 41-29-80, 41-29-90, 41-29-100, 41-29-110, 41-29-120, AS AMENDED, 41-29-130, 41-29-140, 41-29-150, 41-29-170, AS AMENDED, 41-29-180, 41-29-190, 41-29-200, 41-29-210, 41-29-220, 41-29-230, 41-29-240, 41-29-250, 41-29-270, 41-29-280, 41-29-290, 41-33-10, 41-33-20, 41-33-30, 41-33-40, 41-33-45, 41-33-80, AS AMENDED, 41-33-90, 41-33-100, 41-33-110, 41-33-120, 41-33-130, 41-33-170, 41-33-180, 41-33-190, 41-33-200, 41-33-210, 41-33-430, 41-33-460, 41-33-470, 41-33-610, 41-33-710, 41-35-10, 41-35-30, 41-35-100, 41-35-110, AS AMENDED, 41-35-115, AS AMENDED, 41-35-120, AS AMENDED, 41-35-125, 41-35-126, 41-35-130, AS AMENDED, 41-35-140, 41-35-330, 41-35-340, 41-35-410, 41-35-420, AS AMENDED, 41-35-450, 41-35-610, 41-35-630, 41-35-640, AS AMENDED, 41-35-670, 41-35-680, AS AMENDED, 41-35-690, 41-35-700, 41-35-710, AS AMENDED, 41-35-720, 41-35-730, 41-35-740, 41-35-750, AS AMENDED, 41-37-20, 41-37-30, 41-39-30, 41-39-40, 41-41-20, AS AMENDED, 41-41-40, AS AMENDED, 41-41-50, 41-42-10, 41-42-20, 41-42-30, AND 41-42-40, ALL RELATING TO VARIOUS DEPARTMENT PROVISIONS, SO AS TO CONFORM THEM TO THE REPLACEMENT OF THE EMPLOYMENT SECURITY COMMISSION WITH THE DEPARTMENT OF WORKFORCE; AND TO REPEAL SECTION 41-29-260 RELATING TO THE ABILITY OF COMMISSIONERS OF THE EMPLOYMENT SECURITY COMMISSION TO FILE OPINIONS OR OFFICIAL MINUTES.

Reps. BINGHAM, SANDIFER, HARRISON, OTT, DELLENEY, JEFFERSON, J. E. SMITH, VICK, HOSEY, KENNEDY, WEEKS, LOWE, CRAWFORD, DANING, J. H. NEAL and SELLERS requested debate on the Bill.

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H. 3314--DEBATE ADJOURNED

The following Bill was taken up:

H. 3314 -- Rep. Harrison: A BILL TO AMEND SECTIONS 1-30-35, 44-20-30, 44-20-210, 44-20-220, 44-20-225, 44-20-240, 44-20-320, 44-20-350, 44-20-360, 44-20-430, 44-20-1120, 44-20-1130, 44-20-1140, 44-20-1150, 44-20-1160, 44-20-1170, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, SO AS TO PROVIDE THAT THE DEPARTMENT IS HEADED AND GOVERNED BY A DIRECTOR APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, AND THAT THE SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS SERVES AS AN ADVISORY BOARD TO THE DIRECTOR; AND TO REPEAL SECTION 44-20-230 RELATING TO POWERS AND DUTIES OF THE DIRECTOR.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\MS\7266AC09):

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION __. A.Title 2 of the 1976 Code is amended by adding:

“CHAPTER 2

Legislative Oversight of Executive Departments

Section 2-2-5. The General Assembly finds and declares the following to be the public policy of the State of South Carolina:

(1) Section 1 of Article XII of the constitution of this State requires the General Assembly to provide for appropriate agencies to function in the areas of health, welfare, and safety and to determine the activities, powers, and duties of these agencies and departments.

(2) This constitutional duty is a continuing and ongoing obligation of the General Assembly that is best addressed by periodic review of the programs of the agencies and departments and their responsiveness to the needs of the state’s citizens by the standing committees of the State Senate or House of Representatives.

Section 2-2-10. As used in this chapter:

(1) ‘Agency’ means an authority, board, branch, commission, committee,

department, division, or other instrumentality of the executive or judicial departments of state government, including administrative

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bodies. 'Agency' includes a body corporate and politic established as an instrumentality of the State. 'Agency' does not include:

- (a) the legislative department of state government; or
- (b) a political subdivision.

(2) 'Investigating committee' means any standing committee or subcommittee of a standing committee exercising its authority to conduct an oversight study and investigation of an agency within the standing committee's subject matter jurisdiction.

(3) 'Program evaluation report' means a report compiled by an agency at the request of an investigating committee that may include, but is not limited to, a review of agency management and organization, program delivery, agency goals and objectives, compliance with its statutory mandate, and fiscal accountability.

(4) 'Request for information' means a list of questions that an investigating committee serves on a department or agency under investigation. The questions may relate to any matters concerning the department or agency's actions that are the subject of the investigation.

(5) 'Standing committee' means a permanent committee with a regular meeting schedule and designated subject matter jurisdiction that is authorized by the Rules of the Senate or the Rules of the House of Representatives.

Section 2-2-20. (A) Beginning January 1, 2011, each standing committee shall conduct oversight studies and investigations on all agencies within the standing committee's subject matter jurisdiction at least once every five years in accordance with a schedule adopted as provided in this chapter.

(B) The purpose of these oversight studies and investigations is to determine if agency laws and programs within the subject matter jurisdiction of a standing committee:

- (1) are being implemented and carried out in accordance with the intent of the General Assembly; and
- (2) should be continued, curtailed, or eliminated.

(C) The oversight studies and investigations must consider:

(1) the application, administration, execution, and effectiveness of laws and programs addressing subjects within the standing committee's subject matter jurisdiction;

(2) the organization and operation of state agencies and entities having responsibilities for the administration and execution of laws and programs addressing subjects within the standing committee's subject matter jurisdiction; and

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(3) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation addressing subjects within the standing committee's subject matter jurisdiction.

Section 2-2-30. (A) The procedure for conducting the oversight studies and investigations is provided in this section.

(B)(1) The President *Pro Tempore* of the Senate, upon consulting with the chairmen of the standing committees in the Senate and the Clerk of the Senate, shall determine the agencies for which each standing committee shall conduct oversight studies and investigations. A proposed five-year review schedule must be published in the Senate Journal on the first day of session each year.

(2) In order to accomplish the requirements of this chapter, the chairman of each standing committee shall schedule oversight studies and investigations for the agencies for which his standing committee is the investigating committee and may:

(a) coordinate schedules for conducting oversight studies and investigations with the chairmen of other standing committees; and

(b) appoint joint investigating committees to conduct the oversight studies and investigations including, but not limited to, joint committees of the Senate and House of Representatives or joint standing committees of concurrent subject matter jurisdiction within the Senate or within the House of Representatives.

(3) Chairmen of standing committees having concurrent subject matter jurisdiction over an agency or the programs and law governing an agency by virtue of the Rules of the Senate or Rules of the House of Representatives, may request that a joint investigating committee be appointed to conduct the oversight study and investigation for an agency.

(C)(1) The Speaker of the House of Representatives, upon consulting with the chairmen of the standing committees in the House of Representatives and the Clerk of the House of Representatives, shall determine the agencies for which each standing committee shall conduct oversight studies and investigations. A proposed five-year review schedule must be published in the House Journal on the first day of session each year.

(2) In order to accomplish the requirements of this chapter, the chairman of each standing committee shall schedule oversight studies and investigations for the agencies for which his standing committee is the investigating committee and may:

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(a) coordinate schedules for conducting oversight studies and investigations with the chairmen of other standing committees; and

(b) appoint joint investigating committees to conduct the oversight studies and investigations including, but not limited to, joint committees of the Senate and House of Representatives or joint standing committees of concurrent subject matter jurisdiction within the Senate or within the House of Representatives.

(3) Chairmen of standing committees having concurrent subject matter jurisdiction over an agency or the programs and law governing an agency by virtue of the Rules of the Senate or Rules of the House of Representatives, may request that a joint investigating committee be appointed to conduct the oversight study and investigation for the agency.

(D) The chairman of an investigating committee may vest the standing committee's full investigative power and authority in a subcommittee. A subcommittee conducting an oversight study and investigation of an agency:

(1) shall make a full report of its findings and recommendations to the standing committee at the conclusion of its oversight study and investigation, and

(2) shall not consist of fewer than three members.

Section 2-2-40. (A) In addition to the scheduled five-year oversight studies and investigations, a standing committee of the Senate or the House of Representatives may by one-third vote of the standing committee's membership initiate an oversight study and investigation of an agency within its subject matter jurisdiction. The motion calling for the oversight study and investigation must state the subject matter and scope of the oversight study and investigation. The oversight study and investigation must not exceed the scope stated in the motion or the scope of the information uncovered by the investigation.

(B) Nothing in the provisions of this chapter prohibits or restricts the President *Pro Tempore* of the Senate, the Speaker of the House of Representatives, or chairmen of standing committees from fulfilling their constitutional obligations by authorizing and conducting legislative investigations into agencies' functions, duties, and activities.

Section 2-2-50. When an investigating committee conducts an oversight study and investigation or a legislative investigation is conducted pursuant to Section 2-2-40(B), evidence or information related to the investigation may be acquired by any lawful means, including, but not limited to:

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(A) serving a request for information on the agency being studied or investigated. The request for information must be answered separately and fully in writing under oath and returned to the investigating committee within forty-five days after being served upon the department or agency. The time for answering a request for information may be extended for a period to be agreed upon by the investigating committee and the agency for good cause shown. The head of the department or agency shall sign the answers verifying them as true and correct. If any question contains a request for records, policies, audio or video recordings, or other documents, the question is not considered to have been answered unless a complete set of records, policies, audio or video recordings or other documents is included with the answer;

(B) deposing witnesses upon oral examination. A deposition upon oral examination may be taken from any person that the investigating committee has reason to believe has knowledge of the activities under investigation. The investigating committee shall provide the person being deposed and the agency under investigation with no less than ten days notice of the deposition. The notice to the agency shall state the time and place for taking the deposition and name and address of each person to be examined. If a subpoena duces tecum is to be served on the person to be examined, the designation of the materials to be produced as set forth in the subpoena must be attached to or included in the notice. The deposition must be taken under oath administered by the chairman of the investigating committee or his designee. The testimony must be taken stenographically or recorded by some other means and may be videotaped. A person may be compelled to attend a deposition in the county in which he resides or in Richland County;

(C) issuing subpoenas and subpoenas duces tecum pursuant to Chapter 69 of this title; and

(D) requiring the agency to prepare and submit to the investigating committee a program evaluation report by a date specified by the investigating committee. The investigating committee shall specify the agency program or programs or agency operations that it is studying or investigating and the information to be contained in the program evaluation report.

Section 2-2-60. (A) An investigating committee's request for a program evaluation report must contain:

(1) the agency program or operations that it intends to investigate;

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- (2) the information that must be included in the report; and
- (3) the date that the report must be submitted to the committee.

(B) An investigating committee may request that the program evaluation report contain any of the following information:

(1) enabling or authorizing law or other relevant mandate, including any federal mandates;

(2) a description of each program administered by the agency identified by the investigating committee in the request for a program evaluation report, including the following information:

(a) established priorities, including goals and objectives in meeting each priority;

(b) performance criteria, timetables, or other benchmarks used by the agency to measure its progress in achieving its goals and objectives;

(c) an assessment by the agency indicating the extent to which it has met the goals and objectives, using the performance criteria. When an agency has not met its goals and objectives, the agency shall identify the reasons for not meeting them and the corrective measures the agency has taken to meet them in the future;

(3) organizational structure, including a position count, job classification, and organization flow chart indicating lines of responsibility;

(4) financial summary, including sources of funding by program and the amounts allocated or appropriated and expended over the last ten years;

(5) identification of areas where the agency has coordinated efforts with other state and federal agencies in achieving program objectives and other areas in which an agency could establish cooperative arrangements including, but not limited to, cooperative arrangements to coordinate services and eliminate redundant requirements;

(6) identification of the constituencies served by the agency or program, noting any changes or projected changes in the constituencies;

(7) a summary of efforts by the agency or program regarding the use of alternative delivery systems, including privatization, in meeting its goals and objectives;

(8) identification of emerging issues for the agency;

(9) a comparison of any related federal laws and regulations to the state laws governing the agency or program and the rules implemented by the agency or program;

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(10) agency policies for collecting, managing, and using personal information over the Internet and nonelectronically, information on the agency's implementation of information technologies;

(11) a list of reports, applications, and other similar paperwork required to be filed with the agency by the public. The list must include:

- (a) the statutory authority for each filing requirement;
- (b) the date each filing requirement was adopted or last amended by the agency;
- (c) the frequency that filing is required;
- (d) the number of filings received annually for the last five years and the number of anticipated filings for the next five years;
- (e) a description of the actions taken or contemplated by the agency to reduce filing requirements and paperwork duplication;

(12) any other relevant information specifically requested by the investigating committee.

(C) All information contained in a program evaluation report must be presented in a concise and complete manner.

(D) The chairman of the investigating committee may direct the Legislative Audit Council to perform a study of the program evaluation report and report its findings to the investigating committee. The chairman also may direct the Legislative Audit Council to perform its own audit of the program or operations being studied or investigated by the investigating committee.

(E) A state agency that is vested with revenue bonding authority may submit annual reports and annual external audit reports conducted by a third party in lieu of a program evaluation report.

Section 2-2-70. All testimony given to the investigating committee must be under oath.

Section 2-2-80. Any witness testifying before or deposed by the investigating committee may have counsel present to advise him. The witness or his counsel may, during the time of testimony or deposition, object to any question detrimental to the witness' interests and is entitled to have a ruling by the chairman on any objection. In making his ruling, the chairman of the investigating committee shall follow as closely as possible the procedures and rules of evidence observed by the circuit courts of this State.

Section 2-2-90. A witness shall be given the benefit of any privilege which he may have claimed in court as a party to a civil action."

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B. This SECTION takes effect July 1, 2009. /
Renumber sections to conform.
Amend title to conform.

Rep. HARRISON explained the amendment.

Rep. HARRISON moved to adjourn debate on the Bill until Wednesday, March 25, which was agreed to.

H. 3311--REQUESTS FOR DEBATE

The following Bill was taken up:

H. 3311 -- Reps. Brady, Harrison, Erickson, Umphlett, A. D. Young, Agnew, Allison, Battle, Bowen, Bowers, Clemmons, Cooper, Duncan, Gambrell, Hardwick, Hearn, Horne, Kirsh, Long, Lowe, McLeod, Parker, Simrill, Whitmire, Willis, Toole, G. M. Smith, Harvin, Hutto, Neilson, Nanney, Miller, G. R. Smith, Hamilton, Jennings, T. R. Young, Limehouse, Sottile, Viers, Williams, White, Weeks, Wylie, Forrester, Sellers, Rice, Hiott, Owens and Bannister: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SUBARTICLE 8 TO ARTICLE 1, CHAPTER 9, TITLE 63 SO AS TO ESTABLISH THE RESPONSIBLE FATHER REGISTRY WITHIN THE DEPARTMENT OF SOCIAL SERVICES AND TO PROVIDE THAT A UNMARRIED BIOLOGICAL FATHER OF A CHILD, OR AN MALE CLAIMING TO BE THE UNMARRIED BIOLOGICAL FATHER OF A CHILD, MUST FILE A CLAIM OF PATERNITY WITH THIS REGISTRY IN ORDER TO RECEIVE NOTICE OF A TERMINATION OF PARENTAL RIGHTS ACTION OR AN ADOPTION ACTION PERTAINING TO THIS CHILD, TO PROVIDE THAT FAILURE TO FILE A CLAIM CONSTITUTES IMPLIED IRREVOCABLE CONSENT TO THE TERMINATION OF HIS PARENTAL RIGHTS AND TO THE CHILD'S ADOPTION, TO PROVIDE THAT CERTAIN CONDUCT BY AN UNMARRIED BIOLOGICAL FATHER IS DEEMED TO BE NOTICE TO THIS FATHER OF THE BIOLOGICAL MOTHER'S PREGNANCY, AND TO FURTHER ESTABLISH FILING PROCEDURES AND PROCEDURES FOR THE OPERATION OF THE REGISTRY; TO AMEND SECTION 63-9-730, RELATING TO PERSONS AND ENTITIES ENTITLED TO NOTICE OF TERMINATION OF PARENTAL RIGHTS ACTIONS AND ADOPTION ACTIONS, SO AS TO INCLUDE A PERSON WHO

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HAS REGISTERED WITH THE RESPONSIBLE FATHER REGISTRY; TO AMEND SECTION 63-7-2530, RELATING TO THE FILING OF A PETITION FOR TERMINATION OF PARENTAL RIGHTS, SO AS TO REQUIRE A TERMINATION OF PARENTAL RIGHTS ACTION TO BE HEARD WITHIN ONE HUNDRED TWENTY DAYS OF THE DATE THE PETITION IS FILED AND TO PROVIDE CONDITIONS UNDER WHICH A CONTINUANCE MAY BE GRANTED; TO AMEND SECTION 63-7-2550, RELATING TO PERSONS OR ENTITIES ENTITLED TO BE SERVED WITH A PETITION FOR TERMINATION OF PARENTAL RIGHTS, SO AS TO FURTHER SPECIFY THE AGE AS FOURTEEN FOR SERVING A CHILD, TO PROVIDE SERVICE ON THE GUARDIAN AD LITEM OF A CHILD UNDER FOURTEEN YEARS OF AGE, AND TO SPECIFY THE NOTICE PROVISIONS APPLICABLE TO AN UNMARRIED BIOLOGICAL FATHER OF A CHILD WHOSE PARENTAL RIGHTS ARE BEING TERMINATED.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\MS\7267AC09):

Amend the bill, as and if amended, Section 63-9-730(B)(4) on page 6, line 21 after /action / by inserting / pursuant to a subpoena / so when amended, Section 63-9-730(B)(4) reads:

/ (4) ~~any~~ a person who is recorded on the child's birth certificate as the child's father. The Department of Health and Environmental Control shall release this information to any attorney representing a party in an adoption or termination of parental rights action pursuant to a subpoena; /

Amend the bill further Section 63-7-2530(C) on page 7, beginning on line 7 by deleting / A continuance may not be granted by consent order / so when amended Section 63-7-2530(C) reads:

(C) The hearing on the petition to terminate parental rights must be held within one hundred twenty days of the date the termination of parental rights petition is filed. A party may request a continuance that would result in the hearing being held more than one hundred twenty days after the petition was filed; however, the court may only grant the continuance if exceptional circumstances exist. If a continuance is granted, the court must issue a written order stating the exceptional circumstances and scheduling the case for trial on a date and time certain."

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Renumber sections to conform.
Amend title to conform.

Rep. BANNISTER explained the amendment.

Reps. KENNEDY, HOSEY, J. H. NEAL, GOVAN, ALLEN, HARVIN, WEEKS, H. B. BROWN, CLEMMONS, BANNISTER, DANING, CRAWFORD, BRADY, ERICKSON, BRANTLEY, KING and PARKS requested debate on the Bill.

RECURRENCE TO THE MORNING HOUR

Rep. LOWE moved that the House recur to the Morning Hour, which was agreed to.

REPORT OF STANDING COMMITTEE

Rep. KIRSH, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 3673 -- Reps. Forrester, Parker, Duncan, Hiott, Allison, Cole, Cooper, Daning, Kelly, Littlejohn, Owens, M. A. Pitts, Rice, Stringer, Wylie, T. R. Young, J. R. Smith, D. C. Smith, Stewart, Millwood and Bedingfield: A CONCURRENT RESOLUTION TO EXPRESS THE OPPOSITION OF THE GENERAL ASSEMBLY OF SOUTH CAROLINA TO THE FIREARM LICENSING AND RECORD OF SALE ACT OF 2009 RECENTLY INTRODUCED IN THE CONGRESS WHICH WOULD, AMONG OTHER PROVISIONS, REQUIRE ALL FIREARM OWNERS TO APPLY FOR AND CARRY A FEDERALLY ISSUED PICTURE IDENTIFICATION IN ORDER TO KEEP ANY FIREARM IN THEIR HOMES, AND TO MEMORIALIZE THE CONGRESS TO CEASE AND DESIST FROM ATTEMPTING TO ENACT ANY FEDERAL LEGISLATION INFRINGING ON THE CONSTITUTIONAL RIGHT TO EVERY AMERICAN TO KEEP AND BEAR ARMS.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 3739 -- Rep. Duncan: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE BELL STREET MIDDLE SCHOOL SCIENCE OLYMPIAD TEAM, AND TO

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CONGRATULATE THESE SCIENCE SCHOLARS, COACHES,
AND SCHOOL OFFICIALS FOR CAPTURING THE 2009
SCIENCE OLYMPIAD STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

HOUSE RESOLUTION

On motion of Rep. DUNCAN, with unanimous consent, the
following was taken up for immediate consideration:

H. 3740 -- Rep. Duncan: A HOUSE RESOLUTION TO EXTEND
THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA
HOUSE OF REPRESENTATIVES TO THE BELL STREET
MIDDLE SCHOOL SCIENCE OLYMPIAD TEAM, COACHES,
AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE
DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF
RECOGNIZING AND HONORING THEM FOR GARNERING THE
2009 SCIENCE OLYMPIAD STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of
Representatives be extended to the Bell Street Middle School Science
Olympiad team, coaches, and school officials, at a date and time to be
determined by the Speaker, for the purpose of recognizing and
honoring them for garnering the 2009 Science Olympiad State
Championship title.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3741 -- Reps. Sandifer, Agnew, Alexander, Allen, Allison,
Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle,
Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley,
G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons,
Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney,
Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk,
Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick,
Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott,

[HJ]

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Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO CONGRATULATE MISS SOUTH CAROLINA 2008, ANNA PERRY OF FLORENCE COUNTY; MISS SOUTH CAROLINA TEEN 2008, COURTNEY CISSON OF GREENVILLE COUNTY; MISS AMERICA'S OUTSTANDING TEEN 2008, TAYLOR HANNA FITCH OF ANDERSON COUNTY; AND THE GIFTED AND CHARMING CONTESTANTS VYING FOR THE TITLE OF MISS SOUTH CAROLINA 2009, AND TO RECOGNIZE AND COMMEND THEIR ASPIRATIONS, DISCIPLINE, AND TALENT THAT HAVE ENABLED THEM TO REPRESENT THE PALMETTO STATE WITH DIGNITY AND POISE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3742 -- Reps. Sandifer, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis,

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Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND MISS SOUTH CAROLINA 2008, ANNA PERRY OF FLORENCE COUNTY, FOR HER HARD WORK, DISCIPLINE, TALENT, AMBITION, AND HER EXCELLENT AMBASSADORSHIP FOR THE STATE OF SOUTH CAROLINA.

The Resolution was adopted.

HOUSE RESOLUTION

On motion of Rep. SANDIFER, with unanimous consent, the following was taken up for immediate consideration:

H. 3743 -- Rep. Sandifer: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO MISS SOUTH CAROLINA 2008, ANNA PERRY OF FLORENCE COUNTY; MISS SOUTH CAROLINA TEEN 2008, COURTNEY CISSON OF GREENVILLE COUNTY; MISS AMERICA'S OUTSTANDING TEEN 2008, TAYLOR HANNA FITCH OF ANDERSON COUNTY; AND THE GIFTED AND CHARMING CONTESTANTS VYING FOR THE TITLE OF MISS SOUTH CAROLINA 2009, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND HONORING THEM FOR THEIR ASPIRATIONS, DISCIPLINE, AND TALENT THAT HAVE ENABLED THEM TO REPRESENT THE PALMETTO STATE WITH DIGNITY AND POISE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to Miss South Carolina 2008, Anna Perry of Florence County; Miss South Carolina Teen 2008, Courtney Cisson of Greenville County; Miss America's Outstanding Teen 2008, Taylor Hanna Fitch of Anderson County; and the gifted and charming contestants vying for the title of Miss South Carolina 2009, at a date and time to be determined by the Speaker, for the purpose of recognizing and honoring them for their aspirations, discipline, and

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talent that have enabled them to represent the Palmetto State with dignity and poise.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 3744 -- Rep. Sandifer: A CONCURRENT RESOLUTION TO REQUEST EACH CONSTITUTIONAL OFFICER OF THIS STATE ON A VOLUNTARY BASIS TO REDUCE HIS COMPENSATION ON THE SAME PERCENTAGE OR DAILY BASIS THAT STATE EMPLOYEES IN HIS DEPARTMENT OR OFFICE ARE REQUIRED TO ACCEPT BECAUSE OF ACROSS THE BOARD SALARY REDUCTIONS OR MANDATORY FURLOUGHS WITHOUT PAY.

The Concurrent Resolution was ordered referred to the Committee on Ways and Means.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were introduced, read the first time, and referred to appropriate committees:

H. 3745 -- Rep. Duncan: A BILL TO AMEND SECTION 56-15-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS CONCERNING THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, SO AS TO REVISE THE DEFINITION OF THE TERM "DEALER" OR "MOTOR VEHICLE DEALER".

Referred to Committee on Labor, Commerce and Industry

H. 3746 -- Rep. Clemmons: A BILL TO AMEND SECTION 7-11-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOMINATION OF CANDIDATES BY A PETITION, SO AS TO PROVIDE THAT NO QUALIFIED ELECTOR WHO VOTED IN A PRIMARY ELECTION IS ELIGIBLE TO SIGN A PETITION FOR A CANDIDATE TO RUN FOR AN OFFICE TO BE FILLED AT THE GENERAL ELECTION FOLLOWING THAT PRIMARY AND TO PROVIDE THAT A QUALIFIED ELECTOR OTHERWISE ELIGIBLE TO SIGN A PETITION FOR A CANDIDATE TO

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APPEAR ON A GENERAL ELECTION BALLOT MAY NOT SIGN MORE THAN ONE PETITION PER GENERAL ELECTION PER OFFICE; BY ADDING SECTION 7-11-75 SO AS TO PROVIDE THAT A PERSON OFFERING FOR ELECTION AS A PETITION CANDIDATE IN ANY GENERAL ELECTION MUST HAVE FIRST NOTIFIED THE ENTITY TO WHICH THE PETITION IS REQUIRED TO BE FILED BY THE BEGINNING DATE OF THE PRIMARY ELECTION PRECEDING THAT GENERAL ELECTION OF HIS INTENTION TO FILE AS A PETITION CANDIDATE FOR THAT OFFICE, AND TO PROVIDE THAT FAILURE TO DO SO DISQUALIFIES HIM AS A PETITION CANDIDATE FOR THAT GENERAL ELECTION; TO AMEND SECTION 7-11-80, AS AMENDED, RELATING TO THE FORM OF NOMINATING PETITIONS, SO AS TO REQUIRE ALL THE SIGNATURES TO BE LEGIBLE SO THAT THE NAME OF THE VOTER CAN BE IDENTIFIED BEYOND A REASONABLE DOUBT; TO AMEND SECTION 7-11-85, RELATING TO VERIFICATION OF THE SIGNATURES ON PETITIONS, SO AS TO REVISE THE VERIFICATION PROCESS, TO PROVIDE THAT ALL QUALIFIED ELECTORS SIGNING A PETITION FOR A CANDIDATE TO APPEAR ON A GENERAL ELECTION BALLOT FOR ELECTION TO A PARTICULAR OFFICE MUST HAVE BEEN A QUALIFIED ELECTOR WHO REGISTERED TO VOTE AT LEAST THIRTY DAYS BEFORE SUBMISSION OF THE PETITION, AND TO REQUIRE THE REGISTRATION BOARD TO VERIFY THE VOTER IS A QUALIFIED ELECTOR IN THAT JURISDICTION; BY ADDING SECTION 7-11-95 SO AS TO PROVIDE THAT THE ENTITY TO WHICH A PETITION MUST BE FILED MAY REJECT THE PETITION IF, AFTER A HEARING, THE ENTITY FINDS THAT BY A PREPONDERANCE OF THE EVIDENCE FRAUD WAS COMMITTED IN THE EXECUTION OF THE PETITION, AND TO PROVIDE THAT THE VALIDATION OF THE SIGNATURES ON A PETITION AND THE DETERMINATION OF WHETHER OR NOT FRAUD WAS COMMITTED IN THE EXECUTION OF THE PETITION MUST BE CONDUCTED IN PUBLIC AFTER NOTICE; AND BY ADDING SECTION 7-11-100 SO AS TO PROVIDE THAT DECISIONS OF A LOCAL ENTITY TO WHICH A PETITION MUST BE FILED MAY BE APPEALED TO THE STATE ELECTION COMMISSION AND THEREAFTER TO A COURT OF COMPETENT JURISDICTION IN THE

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MANNER IN WHICH APPEALS FROM THE STATE ELECTION COMMISSION MAY BE TAKEN.

Referred to Committee on Judiciary

H. 3747 -- Reps. Bowers, Hodges and R. L. Brown: A JOINT RESOLUTION TO ALLOW THE GOVERNING BODY OF A COUNTY BY ORDINANCE TO POSTPONE FOR ONE ADDITIONAL YEAR A COUNTYWIDE PROPERTY TAX EQUALIZATION AND REASSESSMENT PROGRAM OTHERWISE SCHEDULED FOR IMPLEMENTATION BEGINNING FOR PROPERTY TAX YEAR 2009.

Referred to Committee on Ways and Means

H. 3748 -- Reps. Duncan and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-20-24 SO AS TO PROVIDE THAT THE VALUE OF OWNER OCCUPIED PROPERTY MUST BE INCLUDED IN THE CALCULATION OF THE INDEX OF TAXPAYING ABILITY UNTIL A PERMANENT CHANGE IN THE METHOD OF ITS CALCULATION IS ENACTED; AND TO CREATE THE INDEX OF TAXPAYING ABILITY STUDY COMMITTEE, TO PROVIDE FOR ITS MEMBERSHIP AND ITS PURPOSE, AND TO REQUIRE THE COMMITTEE TO REPORT ITS FINDINGS TO THE GENERAL ASSEMBLY BY JANUARY 10, 2010, UPON WHICH DATE THE COMMITTEE SHALL DISSOLVE.

On motion of Rep. COOPER, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

H. 3749 -- Rep. J. E. Smith: A BILL TO AMEND SECTION 25-1-380, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ASSISTANT ADJUTANT GENERAL FOR THE ARMY, SO AS TO PROVIDE UPON NATIONAL GUARD BUREAU AUTHORIZATION, AN ADDITIONAL ASSISTANT ADJUTANT GENERAL WITH THE RANK OF MAJOR GENERAL.

Referred to Committee on Medical, Military, Public and Municipal Affairs

H. 3750 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37-3-414 SO AS TO PROVIDE THAT A VIOLATION OF FEDERAL

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LAW AS TO CERTAIN CONSUMER LOAN TRANSACTIONS IS A VIOLATION OF STATE LAW.

Referred to Committee on Ways and Means

Rep. LITTLEJOHN moved that the House do now adjourn, which was agreed to.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 3144 -- Rep. Hosey: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION TO NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 125 UNDER STATE JURISDICTION FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 3 IN ALLENDALE COUNTY TO ITS INTERSECTION WITH THE UNITED STATES DEPARTMENT OF ENERGY'S SAVANNAH RIVER SITE'S BOUNDARY NEAR THE TOWN OF JACKSON IN AIKEN COUNTY THE "COACH AARON MANIGAULT MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "COACH AARON MANIGAULT MEMORIAL HIGHWAY".

H. 3349 -- Reps. Barfield, Hearn, Viers and Hardwick: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 501 IN HORRY COUNTY THAT RUNS THROUGH THE TOWN OF AYNOR THE "W. G. HUCKS HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "W. G. HUCKS HIGHWAY".

H. 3665 -- Reps. Crawford, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges,

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Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE ON FRIDAY, JUNE 12, 2009, FROM 12:00 NOON TO 1:00 P.M. FOR ITS ANNUAL STATE HOUSE MEETING.

H. 3675 -- Reps. Neilson, Williams, Lucas, Harrell, Jennings, Barfield, Bales, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Ballentine, Bannister, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO EXPRESS THE LONG-HELD BELIEF OF THE GENERAL ASSEMBLY THAT NASCAR RACING IS AN INTEGRAL AND VITAL PART OF THE STATE OF SOUTH CAROLINA AND ITS ECONOMY AND TO RECOGNIZE THE DARLINGTON RACEWAY AS ONE OF OUR STATE'S MOST TREASURED ATTRACTIONS AND NASCAR RACING AS A SIGNIFICANT PART OF OUR STATE'S RICH HISTORY, AND TO NAME THE WEEK OF MAY 4, 2009

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THROUGH MAY 10, 2009, "DARLINGTON RACEWAY WEEK,
THE WEEK TOO TOUGH TO TAME".

H. 3703 -- Reps. Kirsh and Simrill: A CONCURRENT
RESOLUTION TO RECOGNIZE YORK COUNTY AS A VITAL
PART OF THE GREAT STATE OF SOUTH CAROLINA AND TO
DECLARE MARCH 31, 2009, "YORK COUNTY DAY" IN SOUTH
CAROLINA.

ADJOURNMENT

At 1:12 p.m. the House, in accordance with the motion of Rep.
ANTHONY, adjourned in memory of Juanita Free of Union, to meet at
10:00 a.m. tomorrow.

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H. 3144	54	H. 3732	22
H. 3305	30	H. 3733	16
H. 3311	30, 45	H. 3734	16
H. 3314	38	H. 3735	17
H. 3349	54	H. 3736	17
H. 3413	35	H. 3737	17
H. 3438	31	H. 3738	22
H. 3442	35	H. 3739	47
H. 3561	31	H. 3740	48
H. 3562	32, 35	H. 3741	48
H. 3644	9, 27	H. 3742	49
H. 3664	32	H. 3743	50
H. 3665	54	H. 3744	51
H. 3673	47	H. 3745	51
H. 3675	55	H. 3746	51
H. 3703	56	H. 3747	53
H. 3705	30	H. 3748	53
H. 3717	8	H. 3749	53
H. 3718	9	H. 3750	53
H. 3719	9		
H. 3720	10	S. 19	18
H. 3721	10	S. 185	19
H. 3722	11	S. 186	19
H. 3723	14	S. 545	19
H. 3724	15	S. 548	20
H. 3725	20	S. 552	23
H. 3726	20	S. 558	25
H. 3727	21	S. 559	26
H. 3728	21	S. 586	26
H. 3729	21	S. 587	27
H. 3730	15	S. 596	27
H. 3731	16		